

MINUTES OF THE CITY COUNCIL
CITY OF ORANGE, CALIFORNIA

76 03063

300 EAST CHAPMAN AVENUE
P.O. BOX 449 ORANGE 92666
CHARLOTTE M. JOHNSTON
CITY CLERK 532-0341



Jess F. Perez, C'm
Joe H. Temple,
Mayor
Robert v. Hoyt,
Councilman
James A. Jackman,
Mayor pro tem
Don E. Smith,
Councilman

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City planning Orange

An excerpt from the minutes of a regular meeting of the City Council,
City of Orange, California held December 26, 1973:

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IN RE PUBLIC HEARING ON ORANGE PARK ACRES GENERAL PLAN (WEBB PLAN) -
E.I.R. No. 141:

SEP 19 1975

This being the time set for public hearing on petition by the City
of Orange to consider Orange Park Acres General Plan (Webb Plan)
and Environmental Impact Report No. 141,

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the Mayor declared the hearing open.

The City Clerk informed Council that a communication was received
from W. D. Fansher, dated November 15, 1973, on subject of a
critique of the Orange Park Acres General Plan, a copy of said
critique addressed jointly to Orange City Council and Orange County
Board of Supervisors; same relating to the environmental outlook
and land economics in the area.

At the request of the Mayor, the Clerk also read an appeal
received from Broadmoor Homes, Inc., dated November 20, 1973,
commending the County and City on the adoption of a "general"
plan for Orange Park Acres area, appealing City Planning Com-
mission decision for purposes of clarification and discussion in-
cluding lot sizes and number of units contained in a cluster con-
cept; regarding formation of an ad hoc committee; and enclosing
copy of their letter sent to City and County Planning Departments
regarding the development standards.

Another request, dated December 20, 1973, was received from
Broadmoor Homes, Inc. for correction of the language relative to
clusters; and another request from same corporation, dated December
17, 1973, urging Council to adopt the committee structure outlined
in Supervisor Clark's letter, dated December 10, 1973.

The City Attorney orally reported on his Memorandum No. 73-12-83,
dated December 26, 1973, to the Council concerning effect of adoption

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of Orange Park Acres General Plan on the pending litigation filed by Pacesetter against the City.

The Director of Development and Community Services made a presentation and listed City Planning Commission recommendations; and introduced Mr. Larry Webb, 220 Newport Center Drive, Newport Beach, who previously submitted to Council the text of the Orange Park Acres General Plan.

Mr. Webb presented slides of Orange Park Acres and identified areas within the plan; advised the reason for the plan was to put forth a directive that would be acceptable to all people involved; gave history of Orange Park Acres area, commenting as follows:

"I would like to make a few comments with respect to the consistency that might be in the same context that Councilman Jackman mentioned. I might not touch on all the points, but I will try to touch on all the salient ones with respect to this tract.

"The intent is to retain a rural life style by allowing for a larger setback from arterial roads to diminish the noise that would be there in view of the projected traffic volumes. The intent is to allow for a specific kind of restriction in terms of not providing for the street lights that would be typical to the area, yet a lower light level on individual housing units.

"No streets would have the curbs and gutters and sidewalks as typically included in urban areas, but would rather be rural in character; would be reflecting the rural character of much of the established area. The attempt would also be to allow for a pasture for keeping of animals which is not now the case. It is not now possible in the 10,000 square foot lot area.

"In terms of trying to obtain a compatability of a life style both visually and the view from the road trying to give more open space and more rural setting or rustic character, including the architectural treatment. The clustering concept was felt to be significant to for keeping of animals in the common space where it would not be possible if these were individual lots. We did everything we could to keep the density in the area of the existing zoning as I indicated, I think there were only 4 units difference in what was proposed.

"So I think that with respect to the compatability, the incompatibility is in regard to the specific policy as outlined within the plan. I think these could be used as they are now written in the plan. I would suggest as far as the furthering of my comments that these be used as recommendations for the incompatibility of the existing development.

"The other things specifically I would identify is to the wall effect that one has as you go along Santiago. The proposed clustering intends to leave open and to have a split rail fence or some other open fencing to allow the viewing of this pasture area or common area where animals may be kept or things of this nature.

"I believe that is the salient feature with respect to the incompatibility that I can describe in regard to this tract."

Mr. Willard Gregory, 10642 Morada Drive, Orange Park Acres, President of Orange Park Association, commented briefly that the entire community was polled on its preference, as reflected in the voting, that the community generally accepts goals, policies, and plans of the Webb Study with a majority feeling that it appears a one-acre concept for the entire area the best guarantee.

Miss Shirley Grindle, Planning Commissioner from Fourth District, advised the County Board of Supervisors had adopted two weeks ago today, as part of their 1983 Land Use Element, the Orange Park Acres General Plan, and the two appointees to the Planning Committee were Lowell Kvinge and George Rach; and urged Council to adopt the plan and appoint their two committee members.

Mr. Robert Warren, representing Union Oil Company, Manager of Land Use and Zoning of the Real Estate Department, was in support of the specific plan; presented supportive slides, and spoke in question of the open-space consideration; was concerned over 15-acre parcels adjacent to and with depth off the highway in the Santiago Canyon Road area - requesting same be zoned in consistency and with design of sufficient flexibility; referred back to approximately 1971 when the property was proposed to be made available to the City. (Prior to this time a County-City study was made relative to proposed golf course.)

Mr. Lowell Kvinge, 10722 Morada Drive, in reference to oil firm property, expressed concern and importance of all lands to the south to be consistent with Orange Park Acres zoning, and in reference if planned in the lots for cluster homes; expressed logic that the ridge line be the dividing line; and felt at this point the plan should not be watered down by having higher density in this area.

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Mr. John Klug, 18951 Santiago Canyon Road, President of Pacesetter Homes, Inc., indicated their property at Meads and Santiago Canyon Road as the portion covered by Tract Map 7560 is zoned R-1-10, property adjacent to the north and south similar and both developed accordingly; believed the land zoned correctly in accordance with existing land uses in the area; that change of density to 40 units as cluster concept is consistent with developed area, but that the medium-low cluster is not; does not believe the low density housing concept proposed is proper there within plans of the area; and objects to the zoning contemplated by the concept of the Webb Plan.

Council deliberated on suggestions recommended by the City Attorney on procedure as to implementation of the Webb Plan, suggested various recommendations that if Council makes finding consistent with this applicable plan, then continue with the Webb Study; if not, take steps by Council to make effective by January 8, 1974, due to pending litigation or meet as soon as possible with full Council to consider interim urgency ordinance; if the plan and proposed map are not consistent then suggest Council approve general plan and instruct Staff to take steps relative to this particular land to make consistent zoning as approved by Council.

The Mayor declared the public hearing closed.

Moved by Councilman Jackman, seconded by Councilman Hoyt, and duly adopted, that City of Orange adopt the Orange Park Acres General Plan, commonly known as the Webb Plan; and approve E.I.R. #141; also approval was given the various resolutions that Orange Planning Commission set forth:

(1) PC-85-73 and (2) PC-86-73, joint resolution with the County Board of Supervisors, adopted November 19, 1973; and approval was given for an ad hoc committee in accordance with our earlier expression of intent to declare such a committee; thus adoption of Resolution No. 3915 - Orange Park Acres General Plan, by the following vote:

AYES: Councilmen, Hoyt, Jackman, Smith, Perez. NOES: Councilmen, None. ABSENT: Councilmen, Temple. MOTION CARRIED

It was moved by Councilman Jackman, seconded by Councilman Hoyt, that in accordance with the City Attorney's initial recommendations regarding Pacesetter Tract on the North side of Santiago, that we adopt an urgency ordinance putting a temporary zone on that

property of R-1-40 for the sake of implementing the Webb Plan for the sake of assisting the City Attorney in the law suit the City now finds itself in. (Urgency Ordinance read by title by the City Attorney, R-1-10 to R-1-40.)

AYES: Councilmen, Hoyt, Jackman, Perez. NOES: Councilmen, Smith, ABSENT: Councilmen, Temple.

MOTION FAILED FOR LACK OF 4/5 VOTE

Moved by Councilman Jackman, seconded by Councilman Perez, and duly adopted, that Staff be instructed to expedite as rapidly as possible the necessary proceedings to rezone Tract 7560 from the R-1-10 to the R-1-40 zone; and further that Council finds the existing zoning is completely inconsistent with the Webb Study just adopted by our City Council of the City of Orange. AYES: Councilmen, Hoyt, Jackman, Perez. NOES: Councilmen, Smith. ABSENT: Councilmen, Temple. MOTION CARRIED

Councilman Smith voted "no" for the reason as previously given that the zoning had been on this property since 1965, thus he did not think it right for him to vote otherwise; that Council has never taken any real action over the years to change back the zoning; that there was a tract map approved just to the north; and after a man has paid taxes over the period of years, he should not be denied as long as he meets all the quotas.

Moved by Councilman Jackman, seconded by Councilman Hoyt, and duly adopted, that City Council include by adoption by reference the remarks just made by Mr. Webb as a non-exhaustive list of reasons as to why the present R-1-10 zoning on land which Pace-setter Homes proposes to develop Tract 7560 is inconsistent with the General Plan for the Orange Park Acres area this day adopted by the City Council. The reasons heretofore set forth in the statement of Mr. Webb are summarized as follows:

1. The attempt to maintain a rural lifestyle to allow larger setbacks from the arterial roads.
2. Lights not providing typical street lighting, but a lower lighting level to individual housing units,
3. Not opposed to having streets, but rural - as in much of the established area, no curb, gutter, or sidewalks,
4. The attempt of keeping pastures for animals not now allowed in the R-1-10,
5. (Reference #1) Lifestyle from the road visually - more open space to be more compatible with existing lifestyle, and
6. (Reference #4) The rustic concept to hope to be allowed animals in the common place (cluster seems to allow open or common area where cows and animals are kept) - not walled effect as at present.

AYES: Councilmen, Hoyt, Jackman, Smith, Perez. NOES:
Councilmen, None. ABSENT: Councilmen, Temple.

MOTION CARRIED

Moved by Councilman Jackman, seconded by Councilman Perez, and duly adopted, that the Staff be instructed to begin a study of the Orange Park Acres area with a view to adopt ordinances that are consistent with the existing land use elements of that plan; further, the City Council upholds that part of the resolution previously adopted by our City Planning Commission that the Planning Commission direct the Staff to prepare implementing ordinances and resolutions establishing site, building, offsite improvements, and development standards and criteria for the area; such matters to be consistent with the Orange Park Acres General Plan.

AYES: Councilmen, Hoyt, Jackman, Smith, Perez. NOES:
Councilmen, None. ABSENT: Councilmen, Temple.

MOTION CARRIED

I, CHARLOTTE M. JOHNSTON, City Clerk and ex-officio clerk of the Council, City of Orange, California, DO HEREBY CERTIFY that the foregoing is a true, full, and correct copy of that portion of the minutes of a regular meeting of the City Council held December 26, 1973, as appears on record in this office.

Dated this 5th day of June, 1975.



Charlotte M. Johnston
City Clerk and ex-officio
clerk of the Council
City of Orange, California

CMJ/lr

cc: Bureau of Public Administration, University of California at
Berkeley, University Hall, Berkeley, Ca. 94720.
Bureau of Governmental Research, University of California at
Los Angeles, 405 Hilgard Ave., W. Los Angeles, Ca. 90025.

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RESOLUTION NO. 3915

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE UPHOLDING THE RECOMMENDATION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE AND APPROVING AND ADOPTING A LAND USE ELEMENT OF THE GENERAL PLAN FOR A PORTION OF THE CITY AND ADJACENT UNINCORPORATED PLANNING AREA IN THAT TERRITORY KNOWN AS ORANGE PARK ACRES AS SET FORTH IN THAT CERTAIN PLAN PREPARED BY J. L. WEBB PLANNING CONSULTANTS, DATED SEPTEMBER 1973.

CITY OF ORANGE

RECITALS:

After the Planning Commission of the City of Orange conducted a public hearing as required by law to adopt a land use element of the General Plan for a portion of the City and adjacent unincorporated planning area in territory known as Orange Park Acres, as set forth in that certain plan prepared by J. L. Webb Planning Consultants, dated September 1973 and after the Planning Commission made certain revisions in the plan as proposed, the City Council considered the recommendation of the Planning Commission and determined that this part of the land use element, to wit, the Orange Park Acres Plan, as more particularly described in a map and description now on file in the office of the Director of Development Services and the City Clerk of the City of Orange should be adopted as part of the required land use element of the General Plan for the City of Orange.

During the public hearing before the City Council, the following facts were established:

1. That the Orange Park Acres Plan approved and adopted herein is part of the required land use element to be included in a General Plan for the City of Orange.
2. That the Orange Park Acres Plan is an important link in the overall comprehensive general planning effort of the City of Orange and will serve as a valuable tool in guiding and directing the future development of the Orange Park Acres community.
3. That the Orange Park Acres Plan meets General Plan criteria set forth in Section 65302(a) of the California Government Code. Sections 65352 and 65357 further authorize local governments to adopt General Plan elements and amendments for all or a portion of a city and a surrounding planning area by resolution.
4. That Environmental Impact Report No. 141 filed in conjunction with the Orange Park Acres Plan has been considered and, based upon the independent analysis and recommendation by the Staff and Planning Commission, the City Council finds that the adoption of the Orange Park Acres Plan would have no significant adverse effect on the environment. Indeed, the City Council feels that the adoption of the Orange Park Acres Plan will enhance and improve the environment of the City of Orange.

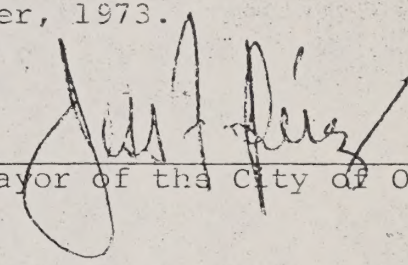
5. That the adoption of the Orange Park Acres Plan will promote desired planning goals of the City of Orange and the general welfare of its citizens.

6. Four persons spoke concerning these plans and suggested certain modifications and conditions thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange that the recommendation of the Planning Commission of the City of Orange be upheld and that the herein described General Plan for the Orange Park Acres area for a portion of the City and adjacent unincorporated planning area in that particular territory as set forth in that certain plan prepared by J. L. Webb Planning Consultants, dated September 1973 and as amended by the Planning Commission on November 19, 1973, be adopted and approved as a part of the land use element of the City of Orange and that copies of this plan be maintained on file in the office of the Director of Development Services, the City Clerk, and in the offices of other public entities as permitted or required by law in order that this plan may be readily accessible to members of the public.

BE IT FURTHER RESOLVED that copies of the herein described General Plan be forwarded to the Secretary of the Resources Agency of the State of California.

ADOPTED this 26th day of December, 1973.


Mayor of the City of Orange

ATTEST:

CHARLOTTE M. JOHNSTON
City Clerk of the City of Orange

I hereby certify that the foregoing resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the 26th day of December, 1973, by the following vote:

AYES: COUNCILMEN: Hoyt, Jackman, Smith, Perez

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ORANGE)

I, CHARLOTTE M. JOHNSTON, City Clerk of the City of Orange, California,
DO HEREBY CERTIFY that the foregoing Resolution No. 3715
is a true and correct copy of the original as appears on record in this office.

WITNESS my hand and seal this 12th day of September 19 75.

(SEAL)

Charlotte M. Johnston
City Clerk

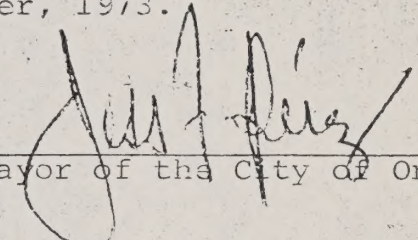
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AYES: COUNCILMEN: Hoyt, Jackman, Smith, Perez

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Temple

CHARLOTTE M. JOHNSTON
City Clerk of the City of Orange

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